

**REMARKS/ARGUMENTS**

The Applicant thanks the Examiner for the Office Action dated February 22, 2006.

**Specification**

The Applicant submits a replacement paragraph titled "Cross Reference to Related Applications" on Page 1 of the Specification. A replacement declaration is enclosed herewith. No new matter has been introduced.

Claims 1 to 10 stand rejected under 35 USC 102(b) as being anticipated by US 6,672,707. In the present application, the benefit of an earlier filing date was incorrectly claimed. The present response is therefore accompanied by a petition under 37 CFR 1.78 a(3) to have the earliest priority date of 2 March, 2002 properly recorded.

In light of this petition, the Applicant respectfully submits that the '707 reference does not constitute valid prior art and that therefore the application is in order for allowance.

Very respectfully,  
Applicant:



---

KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia

Email: [kia.silverbrook@silverbrookresearch.com](mailto:kia.silverbrook@silverbrookresearch.com)

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762



**Petition to Accept an Unintentionally Delayed Claim under 35 U.S.C. 120**

The Applicant hereby petitions to accept an unintentionally delayed claim under 35 U.S.C. 120 for the benefit of a prior-filed application in accordance with 37 C.F.R. 1.78(a)(3).

- With respect to 37 C.F.R. 1.78(a)(3)(i), the reference required by 35 U.S.C. 120 and 37 C.F.R. 1.78(a)(2) is being concurrently filed herewith;
- With respect to 37 C.F.R. 1.78(a)(3)(ii), the surcharge set forth in 37 C.F.R. 1.17(t) is being submitted herewith; and
- With respect to 37 C.F.R. 1.78(a)(3)(iii), it is submitted that the entire delay between the date the claim was due under 37 C.F.R. 1.78(a)(2)(ii) and the date the claim is being filed concurrently herewith was unintentional.

It is hereby submitted that this petition is timely filed and meets the priority claim referred to by the Examiner in the Office Action dated January 22, 2006.